

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA

MATTHEW COLTEN GILMORE, §
§
Plaintiff, § No. 1:19-cv-00359-PLR-SKL
§
~v~ § **JURY DEMAND**
§
CITY OF COLLEGEDALE, and §
§
OFFICER JORDAN LONG, §
In his individual and §
official capacities as agent §
and employee of the City §
of Collegedale, §
§
Defendants. §

JOINT PLANNING REPORT

Pursuant to Rule 26(f) of the Federal Rules of Civil Procedure and the Court's Order (Doc. 8), the parties submit the following report and proposed discovery plan:

1. Counsel for the parties held a telephonic discovery planning conference on January 17, 2020 which time they discussed the nature and bases of the Plaintiff's claims and the Defendant's defenses, the possibilities of settlement, arrangements for the initial disclosures required by Rule 26(a)(1), issues relating to preserving discoverable information, and the development of a discovery plan. The parties were represented by Robin Ruben Flores (for Plaintiff), Benjamin K. Lauderback (for Defendant Jordan Long), and Keith Grant (for Defendant City of Collegedale).

2. As a result of the discovery planning conference, it was agreed as follows:

- a. The parties do not believe that any changes should be made in the timing, form, or requirements for disclosures under Rule 26(a) of the Federal Rules of Civil Procedure. The parties will make all initial disclosures

required by Rule 26(a)(1) within 14 days of the date of the discovery planning conference, or on or before **January 30, 2020**.

- b. The parties believe that discovery, including depositions of expert witnesses if necessary, can be completed by the deadlines set forth in the Scheduling Order. Subjects for discovery include the factual allegations of the Complaint, Plaintiff's damages, and Defendants' Answers and defenses.
- c. The parties do not anticipate disputes over the disclosure or discovery of electronically stored information. To the extent that disclosure or discovery of such information becomes an issue, the parties will confer over the proper handling of the same and will supplement this discovery plan accordingly.
- d. The parties do anticipate issues relating to claims of privilege or production of documents entitled to protection as trial-preparation materials. The parties will revisit such issues as necessary in the course of discovery.
- e. The parties do not believe that any changes should be made in the limitations on discovery imposed by the Federal Rules of Civil Procedure and the Court's local rules.
- f. The parties anticipate that discovery in this matter may include private medical records subject to the Health Insurance Portability and Accountability Act, and its implementing regulations. The parties will endeavor to agree on a protective order that they jointly will present to the Court for entry pursuant to Rule 26(c), Fed. R. Civ. P., that would allow the production of such medical records, and place limitations on the disclosure and use of such records.

3. The parties **do not agree** that this matter may be referred to a United States Magistrate Judge for all purposes.
4. The parties state that the prospects for settlement are unknown at this time.
5. The parties agree that the trial of this case, if necessary, would be expected to take four days.

Respectfully submitted this 23rd day of January, 2020.

By: /s/ Robin Ruben Flores

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